

REMARKS

The Office Action dated April 5, 2005 has been received and carefully noted. The above amendments to the claims and the following remarks are submitted as a full and complete response to the Office Action.

Applicants gratefully acknowledge the indication that claims 31-34 and 43-46 recite allowable subject matter. Accordingly, claims 25, and 36 are amended to correct informalities and to incorporate the allowable subject matter of claims 31 and 43 respectively, and claims 32 and 44 are rewritten into independent form. Accordingly claims 25, 32, 36 and 44 are in condition for allowance. Claims 30, 31 and 42 and 43 are cancelled without prejudice. Claim 39 is amended to correct informalities. No new matter is added. Claims 25-29, 32-41 and 44-48 are respectfully submitted for consideration.

The Office Action objected to claims 25, 36 and 39 because of informalities. Claims 25, 36 and 39 is amended in accordance with the Office Actions instructions. Accordingly, withdrawal of the objection is respectfully requested.

The Office Action rejected claims 25-28, 30, 36-42 and 47 under 35 U.S.C. §102(e) as being anticipated by US Patent No. 6,421,346 to Itoh et al. (Itoh).

It is respectfully submitted that the rejection of claims 30 and 42 are moot in light of the cancellation of these claims.

As discussed above, the Office Action indicated that claims 31 and 32 recited allowable subject matter and would be allowable if rewritten into independent form. Accordingly, the subject matter of claim 31 and intervening claim 30 is incorporated into claim 25. Therefore, it is respectfully submitted that claim 25 is in condition for allowance. Further, since dependent

claims 26-28 depend from claim 25, these claims are in condition for allowance at least for the same reasons as claim 25.

The Office Action indicated that claims 43 and 44 recited allowable subject matter and would be allowable if rewritten into independent form. Accordingly, claim 36 is amended to incorporate the subject matter of claim 43 and intervening claim 42, and claim 44 is rewritten into independent form. Therefore, it is respectfully submitted that claims 36 and 44 are in condition for allowance. Further, since claims 37-42 and 47 depend from claim 36, these claims are allowable at least for the same reasons as claim 36.

At least in light of the above, it is respectfully submitted that the cited reference fails to disclose or suggest all of the features of claims 25-28, 36-41 and 47. Accordingly withdrawal of the rejection of these claims under 35 U.S.C. §102(e) is respectfully requested.

The Office Action rejected claims 29 and 35 under 35 U.S.C §103(a) as being obvious over Itoh in view of US Patent No. 6,421,346 to Toga et al. (Toga).

Regarding claim 29, the Office Action took the position that Itoh disclosed all of the features of claim 29 except the feature of the call setup negotiation is an analog setup negotiation, as recited in claim 29. The Office Action asserted that Toga disclosed this feature.

Regarding claim 35, the Office Action took the position that Itoh disclosed all of the features recited in claim 35 except the feature of a data connection is a multimedia connection as recited in claim 35. The Office Action asserted that Toga disclosed this feature.

As discussed above, claim 25 is amended to incorporate the subject matter of claim 31 which the Office Action indicated recited allowable subject matter. Thus, it is respectfully submitted that since claims 29 and 35 depend from amended claim 25, Itoh is deficient at least for the same reasons as claim 25 and Toga fails to make up for these deficiencies.

Therefore, the cited references taken either individually or in combination fail to disclose or suggest all of the features recited in claims 29 and 35. Accordingly, withdrawal of the rejection of these claims under 35 U.S.C. §103(a) is respectfully requested.

The Office Action objected to claims 31-34 and 43-46 as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. The objection of claims 31 and 43 are moot in light of the cancellation of these claims.


As discussed above, the subject matter of claim 31 is incorporated into claim 25 including intervening claim 30, and claim 32 is rewritten into independent form. Further, claim 36 is amended to incorporate the subject matter of claim 43 including intervening claim 42 and claim 44 is rewritten into independent form. Therefore claims 32 and 44 are in condition for allowance. Further, since claims 33, 34 and 45 and 46 depend from claims 25, 32, 36 and 44 respectively, these claims are allowable at least for the same reasons as claims 25, 32, 36 and 44. Accordingly withdrawal of the objection to these claims is respectfully requested.

It is respectfully submitted that each of the claims 25-29, 32-41 and 44-48 recite subject matter which is neither disclosed nor suggested in the cited prior art. It is therefore respectfully requested that all of claims 25-29, 32-41 and 44-48 be allowed, and this application pass to issue.

If for any reason the Examiner determines that the application is not now in condition for allowance, it is respectfully requested that the Examiner contact, by telephone, the applicant's undersigned attorney at the indicated telephone number to arrange for an interview to expedite the disposition of this application.

In the event this paper is not being timely filed, the applicant respectfully petitions for an appropriate extension of time. Any fees for such an extension together with any additional fees may be charged to Counsel's Deposit Account 50-2222.

Respectfully submitted,


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Enclosures: Petition for Extension of Time
Fee Transmittal